

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
AUGUST 6, 2013

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on August 6, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for July 3, 2013, through August 6, 2013
- Consideration of Regular Commission Meeting Minutes of June 4, 2013, and June 18, 2013
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement:
Dean Schmidt, S/N H-262-B-1-C; Jackie Bees, S/N DVA-2A-A-162-SW;
Catherine Warner, A/N D368228; Pamela Kelsey, A/N 0692387; Karen Frank,
A/N B003913; RaDaun Gleave, A/N 0765829; Michael & Joyce Thomas, A/N
0312069; Bonnie and Reid Byington, A/N 0059249; Randan Woods, S/N W-
TREA-2-39;
- Consideration of Approval of 2013 Board of Equalization Hearing Officers:
Dan Johnson, Nick Lyman, Craig Morley, Jeff Morley, Brian Musso, Steve
Porter, Stuart Porter, Mike Redd, and Kent Vincent
- Acknowledgment of Publishing: Adoption of Ordinance No. 2013-1030-O on
July 6, 2013

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda, with the exception of the Application for Property Tax Abatement of Reid and Bonnie Byington, which shall be withdrawn and considered as the first item on the Regular Agenda. Motion seconded by

Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

Application for Property Tax Abatement of Reid & Bonnie Byington, A/N 0059249

MOTION: Motion by Commissioner Drake to Deny Application for Property Tax Abatement A/N 0059249 because it does not qualify. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

VOLUNTEER OF THE MONTH: CAROL HOLLOWELL

Director of the Volunteer Center of Washington County Carol Hollowell said that the Center sponsors its end-of-summer "Summer of Service" projects. She presented two young ladies, EmRee Moody and Ashley Plancarte, who have been incredible leaders. EmRee has been with the Youth Volunteer Center (YVC) for four (4) years as a mentor in the Youth Diversion Program. She has been nominated for the national Youth Service Award, which provides a thousand dollar (\$1,000) scholarship for her education.

The Volunteer Center is opening a Community Center and Pantry, across from the St. George City Hall, and these two young women will be assisting in setting it up. They will serve at the pantry during the after-hours times for those citizens who cannot access the pantry during the day. They will also be teaching computer skills to senior citizens. They have also been earning money for their leadership conference in Kansas City in October by manning a booth at the County Fair, selling pizza.

PURCHASE REQUEST(S): MARK BLANCH

Sheriff's Office, Repair F350 Ford truck	\$14,774.42
Road Department, Engine overhaul of dump truck	\$13,473.26
Road Department, Paint for Highway 91 striping	\$27,714.87

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1741, A RESOLUTION APPROVING PUBLIC DEFENDER AGREEMENTS BETWEEN LEAH JENSEN

AND BENJAMIN GORDON AND APPROVING A GENERAL INCREASE IN PUBLIC DEFENDER COMPENSATION

Washington County Administrator Dean Cox explained that recently two public defenders have resigned their positions, leaving two openings to fill. These vacancies were advertised, and twenty-one (21) individuals applied. Of those, twelve (12) were interviewed by a committee, which then recommended to the Commission that an offer be extended to Leah Jensen and Benjamin Gordon to fill the vacancies as public defenders. They both have extensive experience, came with glowing references, and interviewed well.

Additionally, the lead public defender, Douglas Terry, advised that each public defender was spending between thirty (30) to forty (40) hours per week on each case. It was recommended that offering an increase of three hundred and sixty-three dollars (\$363.00) per month to the existing public defenders would be more economical than hiring additional attorneys to share the heavy caseload. This is the first increase they have received in six (6) years and is a budgeted item.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1741, A Resolution Approving Public Defender Agreements Between Leah Jensen And Benjamin Gordon And Approving A General Increase In Public Defender Compensation. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1742, A RESOLUTION ADOPTING THE FIVE COUNTY ASSOCIATION OF GOVERNMENTS NATURAL HAZARD MITIGATION PLAN FIVE YEAR PLAN UPDATE

Mr. Cox said that several years ago, the State of Utah, working with the Federal Emergency Management Agency (FEMA), entered into contracts with each of the Associations of Government (AOG) across the state, to study the different types of hazards found within those AOGs. Our Five County AOG first entered into this contract in 2005 and needs to update its Natural Hazard Mitigation Plan. The benefits from this Plan are extensive, including financial assistance from the Natural Resources Conservation Service. Without this contract, the County would not be eligible for many of the benefits it has received in the past and continues to receive.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1742, A Resolution Adopting The Five County Association Of Governments Natural Hazard Mitigation Plan Five Year Plan Update. Motion seconded by Commissioner Drake and carried by

unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1743, A RESOLUTION SUBMITTING TO THE VOTERS OF THE NORTH CENTRAL FIRE SPECIAL SERVICE DISTRICT THE QUESTION OF WHETHER TO LEVY A PROPERTY TAX TO PAY FOR THE SERVICES OF THE NORTH CENTRAL FIRE SPECIAL SERVICE DISTRICT

Deputy County Attorney Eric Clarke said that the North Central Fire Special Service District (NCFSSD) was created several years ago and encompasses the area around the City of Enterprise. Those citizens in the unincorporated area have received fire and emergency service services free of charge, as only City residents were paying fees towards those services. The Administrative Control Board of the NCFSSD has approached the Commission, requesting that this issue be placed on the ballot in November so as to more fairly distribute the expense of fire and emergency protection. The voters will decide whether to fund fire protection either in the form of a flat fee or a property tax levy.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1743, A Resolution Submitting To The Voters Of The North Central Fire Special Service District The Question Of Whether To Levy A Property Tax To Pay For The Services Of The North Central Fire Special Service District. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1744, A RESOLUTION SUBMITTING TO THE VOTERS OF THE DAMMERON VALLEY FIRE SPECIAL SERVICE DISTRICT THE QUESTION OF WHETHER TO LEVY A PROPERTY TAX TO PAY FOR THE SERVICES OF THE DAMMERON VALLEY FIRE SPECIAL SERVICE DISTRICT

Mr. Clarke said that the first step in the process for placing this item on the ballot would be for the Commission to approve the Resolution at least seventy-five (75) days before the election. The resolution language must include the exact percentage amount of taxation that will be placed on the ballot. The Dammeron Valley SSD Administrative Control Board has advised that it is not far enough along in its budgetary process to provide that exact number to the Clerk's Office, so the ballot language was not ready for today's meeting. Additionally, the board appears to be leaning towards a flat fee rather than a property tax. If it decides to use a flat fee, it can do so without putting the issue before the voters.

MOTION: Motion by Commissioner Gardner to Withdraw Resolution No. R-2013-1744, A Resolution Submitting To The Voters Of The Dammeron Valley Fire Special Service District The Question Of Whether To Levy A Property Tax To Pay For The Services Of The Dammeron Valley Fire Special Service District from consideration. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

No report was made today.

PUBLIC WORKS OR ROAD BUSINESS

Washington County Public Works Director Ron Whitehead reported on current road projects in the County:

- The chip sealing project in Pine Valley is completed, and the striping will be done shortly;
- NRCS projects are proceeding slowly, as Washington County is still waiting for the U. S. Fish & Wildlife to render its opinion on the Biological Addendum permitting work to be done in the Virgin River;
- Mr. Whitehead has ordered the bridge in Pine Valley over the reservoir. Big R has returned the appropriate contract, which will be submitted for the County's payment of thirty percent (30%) to the Clerk's Office

COUNTY DEVELOPMENT AND PLANNING BUSINESS: REVIEW OF ACTIONS TAKEN BY THE WASHINGTON COUNTY PLANNING COMMISSION ON JULY 9, 2013:

Conditional Use Permit Extension: Review Extensions On Crushing Operation (1) Near Veyo, Utah, In Section 11, T40S, R17W, SLBM; And (2) Frei Pit In Section 36, T41S, R17W, SLBM, Located South Of Ivins, Progressive Contracting, Inc., Applicant.

Amended Plan: Request To Amend Pine Valley Meadow View Subdivision, An 8-Lot Subdivision On 3.247 Acres; Tim And Joyce Cory, Applicants.

Commission and Staff Reports: Review of Draft Campground Ordinance and Zoning Ordinance Clarification and Update.

Washington County Planner Scott Messel reported that the Planning Commission unanimously approved the above items.

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:28 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN